

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

AHKEEM WILLIAMS,

Plaintiff,

v.

RASAEI RAMA, et al.,

Defendants.

Case No. 1:25-cv-00232-KES-SAB

ORDER SCREENING FIRST AMENDED  
COMPLAINT AND GRANTING LEAVE TO  
FILE SECOND AMENDED COMPLAINT

(ECF No. 9)

**THIRTY-DAY DEADLINE**

On February 21, 2025, Plaintiff Ahkeem Williams, who is proceeding *pro se* and *in forma pauperis*, filed a complaint against Rasaei Rama and Kaweah Health Mental Health. (ECF No. 1.) Following administrative filings not relevant here, on March 7, 2025, the Court granted Plaintiff's application to proceed *in forma pauperis* and on March 27, 2025, screened the complaint, found it failed to state a claim, and gave Plaintiff 30 days in which to file an amended complaint. (ECF Nos. 7, 8.) Plaintiff timely filed a first amended complaint (ECF No. 9), and the Court now undertakes screening of the amended complaint.

**I.**

**SCREENING REQUIREMENT**

The *in forma pauperis* statute provides that a court shall dismiss a case if, *inter alia*, the complaint is frivolous or malicious, or fails to state a claim on which relief may be granted. 28 U.S.C. § 1915(e)(2). In determining whether a complaint fails to state a claim, a court uses the

1 same pleading standard used under Federal Rule of Civil Procedure 8(a). A complaint need only  
 2 contain “a short and plain statement of the claim showing that the pleader is entitled to relief . . .”  
 3 Fed. R. Civ. P. 8(a)(2). Detailed factual allegations are not required, but “[t]hreadbare recitals of  
 4 the elements of a cause of action, supported by mere conclusory statements, do not suffice.”  
 5 Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009), citing Bell Atlantic Corp. v. Twombly, 550 U.S.  
 6 544, 555 (2007).

7 To survive screening, a plaintiff’s claims must be facially plausible, which requires  
 8 sufficient factual detail to allow the Court to reasonably infer that each named defendant is liable  
 9 for the misconduct alleged. Iqbal, 556 U.S. at 678-79; Moss v. U.S. Secret Serv., 572 F.3d 962,  
 10 969 (9th Cir. 2009). The “sheer possibility that a defendant has acted unlawfully” is not  
 11 sufficient, and “facts that are ‘merely consistent with’ a defendant’s liability” falls short of  
 12 satisfying the plausibility standard. Iqbal, 556 U.S. at 678; Moss, 572 F.3d at 969.

13 Moreover, federal courts are under a duty to raise and decide issues of subject matter  
 14 jurisdiction *sua sponte* at any time it appears subject matter jurisdiction may be lacking. Fed. R.  
 15 Civ. P. 12; Augustine v. United States, 704 F.2d 1074, 1077 (9th Cir. 1983). If the Court  
 16 determines that subject matter jurisdiction is lacking, the Court must dismiss the case. Id.; Fed.  
 17 R. Civ. P. 12(h)(3).

18 Leave to amend may be granted to the extent that the deficiencies of the complaint can be  
 19 cured by amendment. Cato v. U.S., 70 F.3d 1103, 1106 (9th Cir. 1995).

## 20 II.

### 21 COMPLAINT ALLEGATIONS

22 Plaintiff Ahkeem Williams brings this action against Defendants Rasaei Rama and  
 23 Kaweah Health Mental Health Hospital. (ECF No. 9, p. 2.) For the basis for subject matter  
 24 jurisdiction, Plaintiff purportedly raises a federal question jurisdiction and lists the following in  
 25 support: “14th Amendment; federal statutes 18 USC Ch. 109A; sexual abuse 10 U.S. Code 5920  
 26 – Art. 120; federal treaties 18 U.S.C. 552282(3); sexual abuse; and Violence Against Women  
 27 Act (VAWA) 2022; and Provision constitution 14th Amendment due process and equal  
 28

protection.” (Id. at p. 4.)<sup>1</sup> Plaintiff lists the amount in controversy to be “\$900,000 for false 5150 hold and \$500,000 malice, oppression[,] breach of duty of care.” (Id. at p. 6.)

For his statement of claims, Plaintiff alleges that “on May 15, 2024, Dr. Rama didn’t properly investigate the privacy invasion I told him about. I told him I had proof on phone and I have been reporting it to the U.S. Attorney’s Office Eastern District Fresno, CA. I had stab wounds in. [sic].” Plaintiff then attached three additional pages, which were not filed in order, of handwritten allegations which the Court will summarize citing the appropriate pages.

Claim 1. Plaintiff had surgery on April 23, 2024, at Fresno Regional Medical because he had run into the street. (Id. at p. 5.) Beforehand, Plaintiff had run into the street because his privacy had been invaded, and he was attempting to get away from the invasion and to “be away from the home.” (Id.; see id. at p. 9.) However, when Plaintiff ran into the streets, he ended up getting stabbed in Fresno. (Id.) Plaintiff “[has] a basic human awareness and a reason to be paranoid. It worsen[s] my mental health I suffer chronic homelessness . . . .” (Id. at p. 9.)

Plaintiff attempted to explain to Dr. Rama “my phones,” but Rama refused, had nurses strap Plaintiff down, and stuck Plaintiff with a needle. (Id. at p. 5; see id. at p. 9.) Rama also put Plaintiff on a 5150 hold, stating that Plaintiff “was detached from reality.” (Id.) Plaintiff notes that he had fresh wounds from a recent heart surgery on April 23, 2024. (Id.; see id. at p. 9.) Plaintiff states that Rama’s conduct was “outrageous and harmful.” (Id. at p. 9.) For Claim1, Plaintiff prays for punitive, monetary damages in the amount of \$900,000, specifically for a breach of the duty of care and a false 5150 hold. (Id.; at p. 5.) Plaintiff states that Rama committed medical malpractice and had been negligent to Plaintiff’s mental and physical needs. (Id.)

Claim 2. Plaintiff alleges that he experienced sexual assault on January 15, 2025, and demands \$500,000. (Id.) Staff had been informed about another patient’s “sex play.” (Id.) In fact, “15 minutes before the patient touch[ed] my left but[tocks] in the day room under a camera.” (Id.) While this patient had lived on the other side of the unit, “they let him walk

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<sup>1</sup> Plaintiff’s penmanship is unclear at times, but the Court endeavors to give Plaintiff every reasonable inference notwithstanding.

1 around my room at night.” (Id.) Plaintiff alleges that he had felt threatened, experienced  
 2 emotional distress, and had been offended “as a man.” (Id.) Plaintiff states that this was a  
 3 violation of the 14th Amendment because “staff knew of the [mental] harm it would cause.” (Id.  
 4 at p. 8.) Again, despite knowing, staff failed to act to prevent sexual harassment and assault.  
 5 (Id.)

6 Within this claim, Plaintiff shifts to his privacy being invaded again, listing a home  
 7 address, IP address, and a WiFi password. (Id.) Plaintiff alleges that Kaweah Health Mental  
 8 Health was negligent because it did not give him adequate security, which breached a duty of  
 9 care. (Id.) Plaintiff asserts that this was oppressive and done with malice. (Id.) Plaintiff states  
 10 that he now deals with sexuality issues, which causes emotional distress and this contributes to  
 11 homelessness. (Id.) Moreover, when Plaintiff got into a program in Fresno, the same privacy  
 12 invaders followed Plaintiff. (Id.) Plaintiff alleges that “it controls my mental [sic] and  
 13 dominates my thought process. I feel threatened and isolated. Staff failed to provide a level of  
 14 care that would be safe. I was offended cause I’m a straight man.” (Id.)

### 15 III.

## 16 DISCUSSION

### 17 A. Federal Rule of Civil Procedure 8

18 The Court again finds that Plaintiff has not identified cognizable causes of action and that  
 19 most of his allegations supporting his claims are conclusory or illogical. In other words, instead  
 20 of explaining to the Court of what happened relevant to a cause of action, Plaintiff has made  
 21 unsupported and/or seemingly irrelevant statements.

22 For example, for his first claim, Plaintiff essentially describes that he was in a paranoid  
 23 state and ran into the street “to be away from the home.” There, Plaintiff was stabbed by an  
 24 unidentified person, which required and led to surgery. Plaintiff tried to explain his reasoning  
 25 (perhaps regarding a perceived invasion of privacy) to Dr. Rama. In any event, Dr. Rama  
 26 conducted the surgery and moved to put Plaintiff of a 5150 hold.<sup>2</sup> Plaintiff claims that Dr.

27 \_\_\_\_\_  
 28 <sup>2</sup> The Court takes judicial notice that Cal. Welf. & Inst. Code § 5150 et seq. covers the mechanism and standards in California for placing someone into involuntary treatment for 72 hours based on a mental health condition.

1 Rama's behavior was outrageous and harmful and prays for damages. Even giving Plaintiff  
2 every reasonable inference, the Court finds that Plaintiff has not alleged a cause of action that  
3 would support federal question jurisdiction.

4 Plaintiff centers his second claim around sexual harassment. Plaintiff alleges that while  
5 he was at Kaweah Health Mental Health, he informed staff that there was someone who had, at  
6 the very least, accusations of "sex play." That same person, 15 minutes later, touched Plaintiff's  
7 buttocks, which has led to sexuality issues and causing emotional distress for Plaintiff. Plaintiff  
8 explicitly relies on the 14th Amendment for this claim.

9 As relevant here, the 14th Amendment provides:

10 . . . No State shall make or enforce any law which shall abridge  
11 the privileges or immunities of citizens of the United States; nor  
12 shall any State deprive any person of life, liberty, or property,  
without due process of law; nor deny to any person within its  
jurisdiction the equal protection of the laws.

13 U.S. Const. amend. XIV. Before reaching claims of due process or equal protection, the Court  
14 notes that the 14th Amendment applies only to state actors. See Polanco v. Diaz, 76 F.4th 918,  
15 925-26 (9th Cir. 2023). In other words, in order to state either a due process or equal protection  
16 claim pursuant to the Fourteenth Amendment, "a plaintiff must allege the violation of a right  
17 secured by the Constitution and laws of the United States, and must show that the alleged  
18 deprivation was committed by a person acting under color of state law." Ochoa v. Public  
19 Consulting Group, Inc., 48 F.4th 1102, 1107 (9th Cir. 2022), quoting West v. Atkins, 487 U.S.  
20 42 (1988). Plaintiff has not identified that any of the defendants are state actors or sufficiently  
21 described factual allegations that would allow for this inference. Therefore, Plaintiff's claims as  
22 presently pleaded under this legal theory fail as a matter of law.

23 The Court also notes that Plaintiff cites to 18 U.S.C. Chapter 109, which is within the  
24 crimes and criminal procedure of the United States Code. Ostensibly, Plaintiff has raised  
25 Chapter 109 because it covers searches and seizures. However, this is a civil matter and Title 18  
26 generally does not provide a civil cause of action in and of itself. Therefore, Plaintiff's reliance  
27 on this statute appears to be misplaced.

1 Plaintiff's other references to statutes do not appear to be valid citations to any federal  
2 statutes. And Plaintiff simply lists "federal treaties," which is not specific enough in order for  
3 the Court to consider whether a claim lies based on a treaty. Regarding VAWA, the Court notes  
4 that these laws generally cover protections and services for individuals who have experienced  
5 domestic violence, dating violence, sexual assault, and stalking. See, e.g., 42 U.S.C. Ch. 136,  
6 Subch. III; 34 U.S.C. § 12471 et seq. Moreover, the only private cause of action relevant here  
7 was held to be unconstitutional by the Supreme Court of the United States. United States v.  
8 Morrison, 529 U.S. 598 (2000).

9 Finally, the Court notes multiple times, Plaintiff simply lists sexual assault. Beyond  
10 VAWA, Plaintiff has not identified a legal basis to support a federal claim for sexual assault in  
11 this civil proceeding.

12 Therefore, while Federal Rule of Civil Procedure 8(a) requires that Plaintiff need only  
13 provide a short and plain statement of the claim, the claims nevertheless need to be facially  
14 plausible. The Court finds that such adequate factual allegations are absent in the complaint to  
15 support any claim, and therefore, the complaint fails to state a claim for which relief may be  
16 provided.

#### 17 IV.

#### 18 CONCLUSION AND ORDER

19 For the reasons discussed herein, Plaintiff fails to state any cognizable claims for relief  
20 and shall be granted leave for a **final time** to file a second amended complaint to cure the  
21 deficiencies identified in this order, if he believes he can do so in good faith. See Lopez v.  
22 Smith, 203 F.3d 1122, 1127 (9th Cir. 2000). If Plaintiff chooses to file a second amended  
23 complaint, that complaint can be brief, Fed. R. Civ. P. 8(a), but it must state what each named  
24 defendant did that led to the deprivation of Plaintiff's constitutional rights or violations of state  
25 law. Iqbal, 556 U.S. at 678-79. Importantly, the "[f]actual allegations must be [sufficient] to  
26 raise a right to relief above the speculative level." Twombly, 550 U.S. at 555 (citations omitted).  
27 Additionally, Plaintiff may not change the nature of this suit by adding new, unrelated claims in  
28 his amended complaint.

1 Finally, Plaintiff is informed that the Court cannot refer to a prior pleading in order to  
2 make Plaintiff's amended complaint complete. Local Rule 220 requires that an amended  
3 complaint be complete in itself without reference to any prior pleading. This requirement exists  
4 because, as a general rule, an amended complaint supersedes the original complaint. See  
5 Ramirez v. County of San Bernardino, 806 F.3d 1002, 1008 (9th Cir. 2015).

6 Based on the foregoing, IT IS HEREBY ORDERED that:

- 7 1. The Clerk of the Court shall send Plaintiff a complaint for civil case form;
- 8 2. Within **thirty (30) days** from the date of service of this order, Plaintiff shall file a  
9 second amended complaint curing the deficiencies identified by the Court in this  
10 order;
- 11 3. The second amended complaint, including attachments, shall not exceed twenty-  
12 five (25) pages in length; and
- 13 4. If Plaintiff fails to file an amended complaint in compliance with this order, the  
14 Court will recommend to a district judge that this action be dismissed consistent  
15 with the reasons stated in this order.

16 IT IS SO ORDERED.

17 Dated: May 12, 2025



18 STANLEY A. BOONE  
19 United States Magistrate Judge  
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